

Senate File 2169

SENATE FILE _____
BY HAHN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act modifying notice provisions relating to the location and
2 marking of underground facilities prior to an excavation in
3 emergency situations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6100XS 82
6 rn/nh/24

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1 1 Section 1. Section 480.1, subsection 3, Code 2007, is
1 2 amended to read as follows:
1 3 3. "Emergency" means a condition where there is clear and
1 4 immediate danger to life or health, or essential services,
1 5 including water, gas, or electric utility services, or a
1 6 potentially significant loss of property.
1 7 Sec. 2. Section 480.1, Code 2007, is amended by adding the
1 8 following new subsection:
1 9 NEW SUBSECTION. 3A. "Emergency locate request" means
1 10 notice submitted to the notification center by an excavator
1 11 under conditions constituting an emergency.
1 12 Sec. 3. Section 480.4, subsection 6, Code 2007, is amended
1 13 to read as follows:
1 14 6. a. The only exception to this section shall be when an
1 15 emergency exists. Under such In case of an emergency, the
1 16 excavator shall make an emergency locate request pursuant to
1 17 the procedure specified in subsection 2 and include
1 18 information identifying the existence of and nature of the
1 19 emergency. The operator shall complete locating and marking
1 20 in response to the request within two hours after receiving
1 21 notice, unless an alternative timeframe is agreed to by the
1 22 operator and excavator.
1 23 b. In case of an emergency when conditions require
1 24 immediate excavation, excavation operations can may begin
1 25 immediately, provided reasonable precautions are taken to
1 26 protect the underground facilities in or near the excavation
1 27 area. The excavator shall notify the notification center of
1 28 the an emergency requiring immediate excavation as soon as
1 29 practical.

EXPLANATION

1 31 This bill relates to notification procedures relating to
1 32 the performance of excavations under emergency circumstances.
1 33 Current law requires an operator of an underground facility
1 34 to mark the location of the facility within 48 hours after
1 35 receiving notice of an impending excavation in the area. The
2 1 bill modifies this timeframe to two hours if the operator
2 2 receives notice in the form of an emergency locate request
2 3 that the excavation is taking place under emergency
2 4 circumstances, or an alternative timeframe if mutually agreed
2 5 to by the excavator and operator. The bill adds to the
2 6 existing definition of an "emergency" in Code section 480.1
2 7 that a clear and immediate danger to essential services can
2 8 include water, gas, or electric utility service. The bill
2 9 additionally clarifies that when an emergency exists requiring
2 10 immediate excavation, and the excavation proceeds with
2 11 precautions being taken to protect underground facilities,
2 12 those precautions relate to underground facilities at or near
2 13 the area being excavated.
2 14 LSB 6100XS 82
2 15 rn/nh/24